

2009 DRAFTING REQUEST

Bill

Received: **08/27/2009**

Received By: **pgrant**

Wanted: **As time permits**

Identical to LRB:

For: **Alberta Darling (608) 266-5830**

By/Representing: **Jay Risch**

This file may be shown to any legislator: **NO**

Drafter: **pgrant**

May Contact:

Addl. Drafters:

Subject: **Education - school boards**
Education - state superintendent

Extra Copies: **TKK**

Submit via email: **YES**

Requester's email: **Sen.Darling@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Grants to school districts for improving or maintaining academic achievement

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pgrant 09/15/2009	csicilia 09/18/2009		_____			
/P1	pgrant 09/22/2009	csicilia 09/23/2009	jfrantze 09/18/2009	_____	sbasford 09/18/2009		
/P2	pgrant 09/28/2009	csicilia 09/29/2009	mduchek 09/23/2009	_____	mbarman 09/23/2009		S&L
/1			phenry	_____	sbasford	cduerst	

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			09/30/2009 _____		09/30/2009	09/30/2009	

FE Sent For:

<END>

→ At
Intro.

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1 js 9/29/09 9/29/09 pt pt ma kjf

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Education - state superintendent

Extra Copies: **TKK**

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1/?	pgrant	p1 cjs 9/17/09	9/18				

FE Sent For:

<END>

Grant, Peter

From: Risch, Jay
Sent: Wednesday, August 26, 2009 1:02 PM
To: Grant, Peter
Subject: Sen. Darling - K12 Public School Teacher Pay for Performance Bill Draft

Hi Peter,

Per our conversation from this morning, here is the framework for a K12 public school teacher pay for performance bill draft. Let me know when you have questions. We would be thrilled to have a draft ready to go before the end of the first week in August.

Let's start by deleting 118.30 (2) (c). "The results of examinations...of a teacher's contract."

Require DPI to reprioritize \$1 million from its existing budget (not aid to school districts) to fund this pay for performance program. School districts interested in participating in this voluntary program would have to provide a dollar for dollar match to any money it would get from DPI.

Interested school districts must submit proposals, which would include a specific dollar amount request, to DPI. Once DPI has approved applications that could use up that \$1 million, the program would be closed to new school district applicants. (A school district applying for the money would still need to meet some benchmarks. The money wouldn't be guaranteed.)

The staff at a whole school would be eligible for rewards if the school met the goals that it's school board set.

Certified teachers (all subjects) would receive \$1,500 awards.

Other staff (teachers aides, secretaries, custodians, etc.) would receive \$750 awards.

*state pays 1/2
sch. dist. pays 1/2*

For a school's staff to receive an award, it would have to meet one of the following benchmarks on student achievement. (This would be chosen by the school board.)

A. Schools would give their students a "value-added" test, which measures student performance early in fall and then again at the end of the school year in spring. Test scores on core subject areas (math, science, social studies and language arts) must rise by an average of __% (I'll get back to you with a percent) (This would likely be the better option for a school that has lower-achieving students. There would be plenty of room for achievement growth.)

or

B. Schools would have to maintain or get into the 80% percentile of highest performing schools, based on the WCKE. (Do you have another idea?) (We want to be able to reward teachers helping students maintain excellence too. This option would be better for the already high-performing schools.)

For staff to receive awards, the schools would also have to meet two of the following benchmarks, chosen by the school board.

- 1 • Attendance up 2%
- 2 • Drop-out rate lowered 2%
- 3 • Graduation rate up 2%
- 4 • Number of students taking AP classes up 2%
- 5 • Number of students taking ACT up 2%
- 6 • Achievement gap between whites and minorities narrowed by 3%

*for non h.s. - must do 2 out of 3
(1, 2, 6)*

The program would start in the 2011-2012 school year.

Hopefully, this gets you started, Peter. Please let me know if you need our intent clarified anywhere along the line.

Thanks!

Jay

08/26/2009

Q's

① "reprimatize \$1M":

- only from GPR? Nah

- "not aid to s.d.'s" - not any
kind of aid or grants? yes

② only for one year?

or until \$ runs out?

if latter, can a s.d. get a grant for > 1 yr.? yes

③ "all licensee teachers" get \$1,500 -

incl. anyone who is req'd to get thelicensee (administrators, librarians, etc.)?
or only teachers?all others (?) get \$750 yesprorated if work (eg) 1/2 time? yes④ sch. dist. wd. apply, but award goes to
particular school -must sch. be i.d. school is
application yes Can it apply for > 1 school? yes⑤ who picks ~~to~~ - or creates - test? - (s.d.)
scores must rise in all areas? (average)wd. all grades take the test? yesans eg.
say gr. 1-6 every kid takes test 1st day
if average ↑exclude kindergarten? yeswt. distribution
N. ed. had

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

called 8/28/09 + LM

g: RE A or B criterion

A is something sch. d. we
have to agree to do to get a grant?

B is something sch. d. we
have to do if it gets a grant?
like bulleted items?

So ^{exactly} what does a sch. need to do to get a
grant?

RE bulleted items: only one (# 6)
deals w/ achievement.

So what's the pt of the value-
added tests; which will show increase in test scores,
since you don't need that to get a grant?

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LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

- ① - achievement gap narrower : what test
- ~~not~~ ~~is~~ 80th percentile rank .. " .. "

use
WKCE

- ② instructions say id must match amt
" " ~~1500~~ ~~1500~~ 1500 or 750
employees receive

does state + ind. can pay 1/2 that?

BILL

Date (time)
needed

5005

LRB - 3329, P

PG : 93 :

Use the appropriate components and routines developed for bills.

AN ACT . . . [generate catalog] **to repeal . . . ; to renumber . . . ; to consolidate and renumber . . . ; to renumber and amend . . . ; to consolidate, renumber and amend . . . ; to amend . . . ; to repeal and recreate . . . ; and to create . . .** of the statutes; **relating to:** ^{awarding grants to school} ~~awarding grants to school~~ . . . ^{pupil} ~~districts for~~ ^{academic achievement} ~~and~~ . . . ^{making an appropriation} ~~making an appropriation~~ . . .

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

allowing the results of pupil examinations to be used to

Analysis by the Legislative Reference Bureau

evaluate teacher performances

If titles are needed in the analysis, in the component bar:

For the main heading, execute: **create → anal: → title: → head**

For the subheading, execute: **create → anal: → title: → sub**

For the sub-subheading, execute: **create → anal: → title: → sub-sub**

For the analysis text, in the component bar:

For the text paragraph, execute: **create → anal: → text**

This is a preliminary draft. An analysis will be provided on a later version of this draft.

FE-5L

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION #

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

⑨

SEC. # CR. 20.255(3)(k)

⑧

20.255(3)(k) Grants for achievement. All

moneys transferred ~~from appropriation under~~
under S. 115.385(6)(b)

~~to~~ to award grants for

academic achievement under S. 115.385.

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

①

SEC. # CR. 115.385

③

②

115.385 Grants to schools for academic achievement.

no ①

①

In his section:

②

"Instructional staff" means

professional employees who have as part of their professional responsibility direct contact with pupils or with the instructional program of the school.

③

(a) "Dropout" has the meaning

given in s. 118.153(1)(b).

④

(c) "Minority group pupil" has the

meaning given in s. 121.845(2).

① ^⑦
 (2) Beginning in the 2011-12 school year, the department shall award grants to school districts for improving pupil academic achievement ^(level of) and for maintaining a high pupil academic achievement ~~achievement~~ ~~on one or more schools.~~

① ^⑧
 (3) A school board may apply to the department for a grant under this section on behalf of one or more schools in the school district ^{school board}. The ~~application~~ shall specify the amount it is requesting and the number of years for which it is requesting the grant. A school district ^{not} ~~is~~ is eligible for a grant under this section unless it ~~expressly~~ ^{expressly} ~~requests~~ ^{requests}.

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

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Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

~~to~~ ~~matches the manner of the grant and to~~
to does one of the following in
each school year for which a grant is requested:
(9) (a) Administers an examination in

~~measure pupil academic achievement in~~
mathematics, science, social studies, and language arts at
the beginning of the school term and
at the end of the school term to all
pupils enrolled in the school on whose
behalf the school board is applying, except
that the school board ~~may~~ ^{need not}
administer the examination to kindergarten
pupils.

⑨ (b) maintains or achieves a ranking among all public schools in the state of at least the 80th percentile on the examinations administered to pupils under s. 118.30.

In the school on whose behalf the school board is applying,

⑧ (B) (4)(a) Except as provided in par (b), the department shall award a grant to a school district if (A) the school on whose behalf the school board applied:

⑨ 1. The ^{pupil} attendance rate increased at least 2 percent.

⑨ 2. The pupil dropout rate decreased at least 2 percent. ~~by the school board~~ "dropout"

~~has the meaning given in s. 118.153 (1)(b).~~

④ 4. The graduation rate increased at least 2 percent.

④ 5. The number of pupils taking advanced placement classes increased at least 2 percent.

④ 6. The number of pupils taking the ACT test; the standardized test for high school achievement and college admissions produced by ACT, Inc., increased at least 2 percent.

④ 3. The achievement gap, as measured by scores on the examinations administered under s. 118.30, decreased by at least 3 percent.

between minority group pupils and nonminority group pupils ~~decreased by at least 3 percent in this subdivision~~ "minority group pupil" has the meaning given in s. 121.845 (2).

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

(9)

(b) If ^{the school on whose behalf the school board applied} ~~a school district~~ does not operate high school grades,

~~district shall satisfy at least 2 of the~~
criteria
criteria under par. (a) 1. to 3.

the department shall award a grant to ^{the} ~~the~~ school district
if in the school year ^{for which the grant was} requested, the school district
^{criterion} satisfied the criterion under sub. (3) (a) or (b) and
at least 2 of the

occurred in the school ~~for which~~
~~behalf the school board applied~~ (9)

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

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LRB

(a) the department shall award a grant to member of the
(5) each instructional staff of a school meeting the required conditions under sub. (3) and (4). The amount of the grant for an instr

(B) Except as provided in par. (c),
(5)(a) in each school year in which a school on whose behalf a school board applied for a grant meets the required conditions under sub.

(3) and (4), the department shall award the following amounts to the ~~school district~~ school district:
~~school district employees~~

a. To each member of the instructional staff, \$750.

b. To each staff member of the school who is not instructional staff, \$375.

(B) (c) Amounts under pars. (a) and (b) shall be prorated for part-time employees.

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

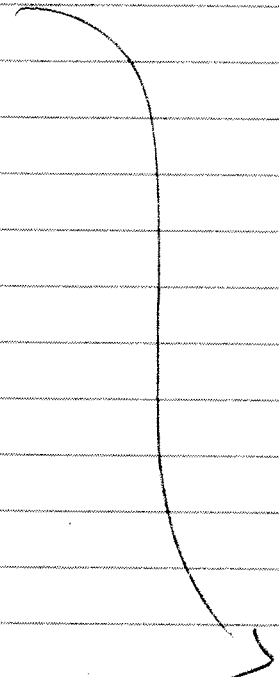
Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

(9) (B) (6) (a) The department shall award the grants under this section by ~~reallocating funds~~ from the appropriation under s. 20.255 (3) (K).



STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

⑨

(b) Notwithstanding the purposes specified in the appropriations under s. 20.255(1), the department s. 20.255(1) may transfer the department may transfer moneys from any appropriation under s. 20.255(1) the appropriation under to s. 20.255(3)(k) for the purpose of Annually, awarding grants under this section. the department shall transfer moneys sufficient to award \$1,000,000 in grants each school year.

SEC. RP, 118.30 (2)(c)

✓ +

(End)

(A)
STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

in the school year for which the grant was requested;
if the school district satisfied the
criterion
criterion under sub. (3) (a) or (b) and
at least 2 of the following occurred in

(B)

(9)

1. An amount equal to the number of instructional staff at the school multiplied by \$750.

(9)

2. An ^{amount} amount equal to the number of ^{noninstructional} staff ~~members~~ at the school ~~who are~~ ~~not instructional staff~~ multiplied by \$375.

(9)

(b) ^{Except as provided in par. (c)} The school board shall distribute the amounts under par. (a) 1. and 2. to instructional and noninstructional staff at the school on whose behalf the school district applied and also a matching grant to shall award each person receiving a grant.

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

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Legal (608-266-3561)

LRB

(DN)

⑦ The draft ~~provides~~ directs DPI to allocate \$1,000,000 annually for the grants.

Do you want to add a ^{proration} proration mechanism in case more than that amount is requested by eligible school districts?

⑦ Note that although the draft requires that school districts administer an examination at the beginning ~~and~~ ^{end} of each school term, nothing ~~is~~ is dependent on the exams. OK?

PG

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3329/P1dn

PG:cjs:jf

September 18, 2009

The draft directs DPI to allocate \$1,000,000 annually for the grants. Do you want to add a proration mechanism in case more than that amount is requested by eligible school districts?

Note that although the draft requires that school districts administer an examination at the beginning and end of each school term, nothing is dependent on the exams. OK?

Peter R. Grant
Managing Attorney
Phone: (608) 267-3362
E-mail: peter.grant@legis.wisconsin.gov

Grant, Peter

From: Risch, Jay
Sent: Tuesday, September 22, 2009 9:34 AM
To: Grant, Peter
Subject: LRB-3329/P1

Hi Peter,

I just realized I never got back to you on a percentage for improvement for students taking the tests. It looks like that paragraph starts at line 13. Let's have it that the students would need to show 4% improvement in these academic areas.

Thanks - Jay

From my original drafting request email...

For a school's staff to receive an award, it would have to meet one of the following benchmarks on student achievement. (This would be chosen by the school board.)

A. Schools would give their students a "value-added" test, which measures student performance early in fall and then again at the end of the school year in spring. Test scores on core subject areas (math, science, social studies and language arts) must rise by an average of ___% (I'll get back to you with a percent) (This would likely be the better option for a school that has lower-achieving students. There would be plenty of room for achievement growth.)

or

B. Schools would have to maintain or get into the 80% percentile of highest performing schools, based on the WCKE. (Do you have another idea?) (We want to be able to reward teachers helping students maintain excellence too. This option would be better for the already high-performing schools.)

09/22/2009



Thursday

stays

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SAV

regen.

1 AN ACT *to repeal* 1188.30; and *to create* 20.255 (3) (k) and 115.385 of the
2 statutes; **relating to:** awarding grants to school districts for pupil academic
3 achievement, allowing the results of pupil examinations to be used to evaluate
4 teacher performance, and making an appropriation.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5 SECTION 1. 20.255 (3) (k) of the statutes is created to read:
6 20.255 (3) (k) *Grants for achievement.* All moneys transferred under s. 115.385
7 (6) (b) to award grants for academic achievement under s. 115.385.
8 SECTION 2. 115.385 of the statutes is created to read:
9 **115.385 Grants to schools for academic achievement.** (1) In this section:
10 (a) "Dropout" has the meaning given in s. 118.153 (1) (b).

(b) "Instructional staff" means professional employees who have as part of their responsibility direct contact with pupils or with the instructional program of the school.

(c) "Minority group pupil" has the meaning given in s. 121.845 (2).

(2) Beginning in the 2011-12 school year, the department shall award grants to school districts for improving pupil academic achievement and for maintaining a high level of pupil academic achievement.

(3) A school board may apply to the department for a grant under this section on behalf of one or more schools in the school district. The school board shall specify the amount it is requesting and the number of years for which it is requesting the grant. A school district is not eligible for a grant under this section unless ~~it does~~ ^{applies} one of the following ^{in each school year} for which a grant is requested:

^{The school board} (a) ~~Administers~~ an examination in mathematics, science, social studies, and language arts at the beginning of the school term and at the end of the school term to all pupils enrolled in the school on whose behalf the school board is applying, ~~except that the school board need not administer the examination to kindergarten pupils.~~ ^{other than to pupils in kindergarten.}

(b) ~~The~~ ^{achieves or} the school on whose behalf the school board is applying ~~maintains~~ ^{achieves} a ranking among all public schools in the state of at least the 80th percentile on the examinations administered to pupils under s. 118.30.

(4) (a) Except as provided in par. (b), the department shall award a grant to a school district if, in the school year for which the grant was requested, the school district satisfied the criterion under sub. (3) (a) or (b) and at least 2 of the following occurred in the school on whose behalf the school board applied:

1. The pupil attendance rate increased at least 2 percent.

in that

and pupils' average scores increase by at least 4 percent school year.

on that examination

1 2. The pupil dropout rate decreased at least 2 percent.

2 3. The achievement gap between minority group pupils and nonminority group
3 pupils, as measured by scores on the examinations administered under s. 118.30,
4 decreased by at least 3 percent.

5 4. The graduation rate increased at least 2 percent.

6 5. The number of pupils taking advanced placement classes increased at least
7 2 percent.

8 6. The number of pupils taking the ACT test, the standardized test for high
9 school achievement and college admissions produced by ACT, Inc., increased at least
10 2 percent.

11 (b) If the school on whose behalf the school board applied does not operate high
12 school grades, the department shall award a grant to the school district if, in the
13 school year for which the grant was requested, the school district satisfied the
14 criterion under sub. (3) (a) or (b) and at least 2 of the criteria under par. (a) 1. to 3.
15 occurred in the school.

16 (5) (a) Except as provided in par. (c), in each school year in which a school on
17 whose behalf a school board applied meets the required conditions under subs. (3)
18 and (4), the department shall award the following amounts to the school district:

19 1. An amount equal to the number of instructional staff at the school multiplied
20 by \$750.

21 2. An amount equal to the number of noninstructional staff at the school
22 multiplied by \$375.

23 (b) Except as provided in par. (c), the school board shall distribute the amounts
24 under par. (a) 1. and 2. to the instructional and noninstructional staff at the school

1 on whose behalf the school district applied and shall also award a matching grant to
2 each person receiving a grant.

3 (c) Amounts under pars. (a) and (b) shall be prorated for part-time and
4 part-year employees.

5 (6) (a) The department shall award the grants under this section from the
6 appropriation under s. 20.255 (3) (k).

7 (b) Notwithstanding the purposes specified in the appropriations under s.
8 20.255 (1), the department may transfer moneys from any appropriation under s.
9 20.255 (1) to the appropriation under s. 20.255 (3) (k) for the purpose of awarding
10 grants under this section. Annually, the department shall transfer moneys sufficient
11 to award \$1,000,000 in grants each year.

12 SECTION 3. 1188.30 of the statutes is repealed.

13 (END)

118.30 (2) (c)

✓

Grant, Peter

From: Risch, Jay
Sent: Monday, September 28, 2009 10:39 AM
To: Grant, Peter
Subject: RE: LRB-3329/P1

Responses below in CAPS

change to AP exams

From: Grant, Peter
Sent: Monday, September 28, 2009 10:35 AM
To: Risch, Jay
Subject: RE: LRB-3329/P1

Hi Jay,

Your first and second points: done. THANKS!

In regard to your third point, what I propose to do is provide the exemptions that are provided for WKCE tests. A school board may determine not to administer a test to a limited-English proficient pupil, may permit the pupil to be examined in his or her native language, or may modify the format and administration of a test for such pupils. For special ed pupils, a school board must provide appropriate accommodations and alternate assessments where necessary and as indicated in their individualized education programs. Also, a school board must excuse a pupil from taking the exam if the pupil's parent requests. Finally, the exams must be free of bias to the extent possible. OK? OK!

Regarding your fourth point, it seems that the NCLB allows school boards to ignore scores of racial groups that are too small to be statistically significant. (The reason that you heard, relating to privacy concerns, might also be true.) But there is no magic number; in fact, AP reported the following in April, 2006:

"State educators decide when a group is too small to count. And they've been asking the government for exemptions to exclude larger numbers of students in racial categories. Nearly two dozen states have successfully petitioned the government for such exemptions in the past two years. As a result, schools can now ignore racial breakdowns even when they have 30, 40 or even 50 students of a given race in the testing population."

So I'm not sure what you'd like me to do. We can provide a specific exemption for numbers too small to be statistically significant, or we can be silent. I don't know what number or percentage would be statistically insignificant, so I don't think we can provide one. OK - LET'S BE SILENT.

About your fifth point: I'm not concerned that some test other than the WKCE may be used. DPI can't get rid of the requirements in s. 118.30 without legislation. There will be some test, and it will be in s. 118.30. If it's not a test, 118.30 will have to be changed, and we can change the requirement in s. 115.385, as created by this bill, at that time. OK.

Peter

From: Risch, Jay
Sent: Monday, September 28, 2009 9:49 AM
To: Grant, Peter
Subject: FW: LRB-3329/P1

Hi Peter,

I have a couple more redraft requests. Hopefully we are done then. I know my boss wants to get this introduced soon. Let me know if you have any questions.

09/28/2009

1. There appear to be a few typos - in the first and last lines of the bill. Section 1188.30 instead of Section 118.30
2. Please raise the graduation rate requirement from 2% to 4%.
3. Please add a line allowing school districts from letting special ed and non-English speaking students either opt out of the tests or give them alternate assessments.
4. Re: the achievement gap, I am told that under NCLB, you have to have a certain number of minority students to be required to track them because if there is only one African-American student in the building, everyone would know that it is that student when you are doing the reporting. Is there an existing threshold of minority students needed? Should we create one?
5. Please make it clear that some test other than the WKCE could be used (since it seems DPI plans to get rid of the WKCE soon.)

Jay

From: Risch, Jay
Sent: Tuesday, September 22, 2009 2:43 PM
To: Grant, Peter
Subject: RE: LRB-3329/P1

Thanks

From: Grant, Peter
Sent: Tuesday, September 22, 2009 2:40 PM
To: Risch, Jay
Subject: RE: LRB-3329/P1

Thanks, Jay. I forgot all about that. You'll receive a /P2 later this week.

Peter

From: Risch, Jay
Sent: Tuesday, September 22, 2009 9:34 AM
To: Grant, Peter
Subject: LRB-3329/P1

Hi Peter,

I just realized I never got back to you on a percentage for improvement for students taking the tests. It looks like that paragraph starts at line 13. Let's have it that the students would need to show 4% improvement in these academic areas.

Thanks - Jay

From my original drafting request email...

For a school's staff to receive an award, it would have to meet one of the following benchmarks on student achievement. (This would be chosen by the school board.)

A. Schools would give their students a "value-added" test, which measures student performance early in fall and then again at the end of the school year in spring. Test scores on core subject areas (math, science, social studies and language arts) must rise by an average of ___% (I'll get back to you with a percent) (This would likely be the better option for a school that has lower-achieving students. There would be plenty of room for achievement growth.)

or

B. Schools would have to maintain or get into the 80% percentile of highest performing schools, based on the WKCE. (Do you have another idea?) (We want to be able to reward teachers helping students maintain excellence too. This option would be better for the already high-performing schools.)

09/28/2009



State of Wisconsin
2009 - 2010 LEGISLATURE

500w

LRB-3329/P2

PG:cjs:md

stays

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SAZ

Reger Cat

1 AN ACT *to repeal* 118.30 (2) (c); and *to create* 20.255 (3) (k) and 115.385 of the
2 statutes; **relating to:** awarding grants to school districts for pupil academic
3 achievement, allowing the results of pupil examinations to be used to evaluate
4 teacher performance, and making an appropriation.

Analysis by the Legislative Reference Bureau

~~This is a preliminary draft. An analysis will be provided in a later version.~~

(Attached)

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5 SECTION 1. 20.255 (3) (k) of the statutes is created to read:
6 20.255 (3) (k) *Grants for achievement.* All moneys transferred under s. 115.385
7 (6) (b) to award grants for academic achievement under s. 115.385.
8 SECTION 2. 115.385 of the statutes is created to read:
9 **115.385 Grants to schools for academic achievement.** (1) In this section:
10 (a) "Dropout" has the meaning given in s. 118.153 (1) (b).

1 (b) "Instructional staff" means professional employees who have as part of their
2 responsibility direct contact with pupils or with the instructional program of the
3 school.

4 (c) "Minority group pupil" has the meaning given in s. 121.845 (2).

5 (2) Beginning in the 2011-12 school year, the department shall award grants
6 to school districts for improving pupil academic achievement and for maintaining a
7 high level of pupil academic achievement.

8 (3) A school board may apply to the department for a grant under this section
9 on behalf of one or more schools in the school district. The school board shall specify
10 the amount it is requesting and the number of years for which it is requesting the
11 grant. A school district is not eligible for a grant under this section unless one of the
12 following applies in each school year for which a grant is requested:

13 (a) The school board administers an examination in mathematics, science,
14 social studies, and language arts at the beginning of the school term and at the end
15 of the school term to all pupils enrolled in the school on whose behalf the school board
16 is applying, other than to pupils in kindergarten, and pupils' average scores on that
17 examination increase by at least 4 percent in that school year. (2-17)

18 (b) The school on whose behalf the school board is applying achieves or
19 maintains a ranking among all public schools in the state of at least the 80th
20 percentile on the examinations administered to pupils under s. 118.30.

21 (4) (a) Except as provided in par. (b), the department shall award a grant to a
22 school district if, in the school year for which the grant was requested, the school
23 district satisfied the criterion under sub. (3) (a) or (b) and at least 2 of the following
24 occurred in the school on whose behalf the school board applied:

25 1. The pupil attendance rate increased at least 2 percent.

2. The pupil dropout rate decreased at least 2 percent.

3. The achievement gap between minority group pupils and nonminority group pupils, as measured by scores on the examinations administered under s. 118.30, decreased by at least 3 percent.

4. The graduation rate increased at least 2 percent.

5. The number of pupils taking advanced placement ~~classes~~ ^{examinations} increased at least 2 percent.

6. The number of pupils taking the ACT test, the standardized test for high school achievement and college admissions produced by ACT, Inc., increased at least 2 percent.

(b) If the school on whose behalf the school board applied does not operate high school grades, the department shall award a grant to the school district if, in the school year for which the grant was requested, the school district satisfied the criterion under sub. (3) (a) or (b) and at least 2 of the criteria under par. (a) 1. to 3. occurred in the school.

(5) (a) Except as provided in par. (c), in each school year in which a school on whose behalf a school board applied meets the required conditions under subs. (3) and (4), the department shall award the following amounts to the school district:

1. An amount equal to the number of instructional staff at the school multiplied by \$750.

2. An amount equal to the number of noninstructional staff at the school multiplied by \$375.

(b) Except as provided in par. (c), the school board shall distribute the amounts under par. (a) 1. and 2. to the instructional and noninstructional staff at the school

1 on whose behalf the school district applied and shall also award a matching grant to
2 each person receiving a grant.

3 (c) Amounts under pars. (a) and (b) shall be prorated for part-time and
4 part-year employees.

5 **(6)** (a) The department shall award the grants under this section from the
6 appropriation under s. 20.255 (3) (k).

7 (b) Notwithstanding the purposes specified in the appropriations under s.
8 20.255 (1), the department may transfer moneys from any appropriation under s.
9 20.255 (1) to the appropriation under s. 20.255 (3) (k) for the purpose of awarding
10 grants under this section. Annually, the department shall transfer moneys sufficient
11 to award \$1,000,000 in grants each year.

12 **SECTION 3.** 118.30 (2) (c) of the statutes is repealed.

13 **(END)**

2-17

(no fl) ^{118.30 (2) (a) and (b) 1. to 3.}
Section 118.30 (2) (a) and (b) 1. to 3. as it

apply to the examination administered
under this paragraph.

applies to the
examinations
under s. 118.30,
applies

A

④ Under current law, the results of statewide standardized examinations administered to pupils may not be used to evaluate teacher performance; to discharge, suspend, or formally discipline a teacher; or as the reason for the nonrenewal of a teacher's license to teach. This bill eliminates these prohibitions.

contract.

INS A

Analysis

⑩ The bill ^{also} directs the Department of Public Instruction (DPI) to award grants to school districts for improving ^{or maintaining a high level of} pupil academic achievement. ~~one formula~~

⑪ Under the bill, a school board applies ^{on behalf of} for a grant ~~for~~ one or more schools in the school district. ^{is eligible for a} A school board ^{applies} for a grant only if one of the following ^{requests} in each school year ^{for} which it ~~receives~~ a grant:

- ⑪ The school board
1. administers an examination in mathematics, science, social studies, and language arts at the beginning and at the end of the school year to pupils enrolled in the school ⁴ and average scores increase by at least ⁴ four percent. ~~with~~

Editor:
I don't
make
these
changes
in reviewing

④ 2. The school achieves or maintains a ranking among all public schools in the state of at least the 80th percentile on the statewide standardized examinations.

④ In addition, ^{in order to receive a grant} (at least two of the following must occur in the school:

④ 1. The attendance rate increases at least ² two percent.

④ 2. The dropout rate decreases at least ² two percent.

④ 3. The achievement gap between minority pupils and nonminority pupils (as measured by scores on the statewide standardized exams) decreases by at least ³ three percent.

④ 4. The graduation rate increases at least ⁴ ~~four~~ percent.

④ 5. The number of pupils taking advanced placement exams increases at least ² ~~two~~ percent.

④ 6. The number of pupils taking the ACT test increases at least ² ~~two~~ percent.

④ If a school meets the specified conditions, DPI must award ~~the following amounts~~ ~~to~~ the school district, for payment to its employees, ~~the~~ \$750 for each member of the school's instructional staff and \$375 for each member of the ^{school's} noninstructional staff. The school board must match the amounts.

(9) To fund the grants, the bill directs DPI to reallocate moneys appropriated to DPI for other purposes.

FE-SL

Parisi, Lori

From: Risch, Jay

Sent: Wednesday, September 30, 2009 9:14 AM

To: LRB.Legal

Subject: Draft Review: LRB 09-3329/1 Topic: Grants to school districts for improving or maintaining academic achievement

Please Jacket LRB 09-3329/1 for the SENATE.

09/30/2009